

## LINCOLN CITY/LANCASTER COUNTY PLANNING STAFF REPORT

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**P.A.S.:** Street and Alley Vacation #01022

**DATE:** January 10, 2001

**PROPOSAL:** To vacate the north 12 feet of W. "E" Street from the east line of Folsom Street to the west line of SW 6<sup>th</sup> Street.

**LAND AREA:** 6,845.52 square feet, more or less

**CONCLUSION:** This proposal, combined with Special Permit #1943, allows Lincoln Plating to construct additional parking while maintaining the 25' R-2 front yard setback along W. "E" Street.

<b><u>RECOMMENDATION:</u></b>	Conforms to the Comprehensive Plan
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### **GENERAL INFORMATION:**

**LEGAL DESCRIPTION:** The north 12 feet of W. "E" Street from the east line of Folsom Street to the west line of SW 6<sup>th</sup> Street, located in the SE 1/4 of Section 27, T10N, R6E of the 6<sup>th</sup> P.M., Lincoln, Lancaster County, Nebraska.

**LOCATION:** S. Folsom and W. "E" Street

**APPLICANT:** Lincoln Plating Company  
600 W. "E" Street  
Lincoln, NE 68522  
(402) 475-3671

### **SURROUNDING LAND USE AND ZONING:**

North:	I-1 Industrial	Lincoln Plating buildings
South:	R-2 Residential	Single family housing
East:	R-2 and I-1	City pumping station and vacant floodplain
West:	R-2	One residence and vacant land

**ASSOCIATED APPLICATIONS:** Special Permit #1943

**COMPREHENSIVE PLAN SPECIFICATIONS:** W. "E" Street is classified as a local street.

This area is in a 100-year flood zone. The Comprehensive Plan indicates a goal to "Protect natural stream corridors and enhance man-made open channels for the purpose of improving water quality

**STREET VACATION NO.00018**  
**PAGE 2**

and reducing flood damage and erosion while retaining open space”(page 70) and to “Protect the quantity and quality of ground and surface water”(page 70).

**UTILITIES:** Lincoln Electric System has existing overhead and buried electrical facilities in this area and has requested that a permanent easement be established for the entire vacation corridor.

**TRAFFIC ANALYSIS:** S. Folsom is an Urban Collector; W. “E” Street is a local street.

**ANALYSIS:**

1. The Public Works & Utilities Department recommends approval of this vacation.
2. The Lincoln Electric System requested that a permanent easement be established for the entire vacation corridor.
3. A permanent conservation easement should be retained over the entire portion of vacated right-of-way. The City Law Department has prepared a quitclaim deed which will accomplish this when the transfer is completed.

**BEFORE THE VACATION REQUEST IS SCHEDULED ON THE CITY COUNCIL AGENDA THE FOLLOWING MUST BE COMPLETED:**

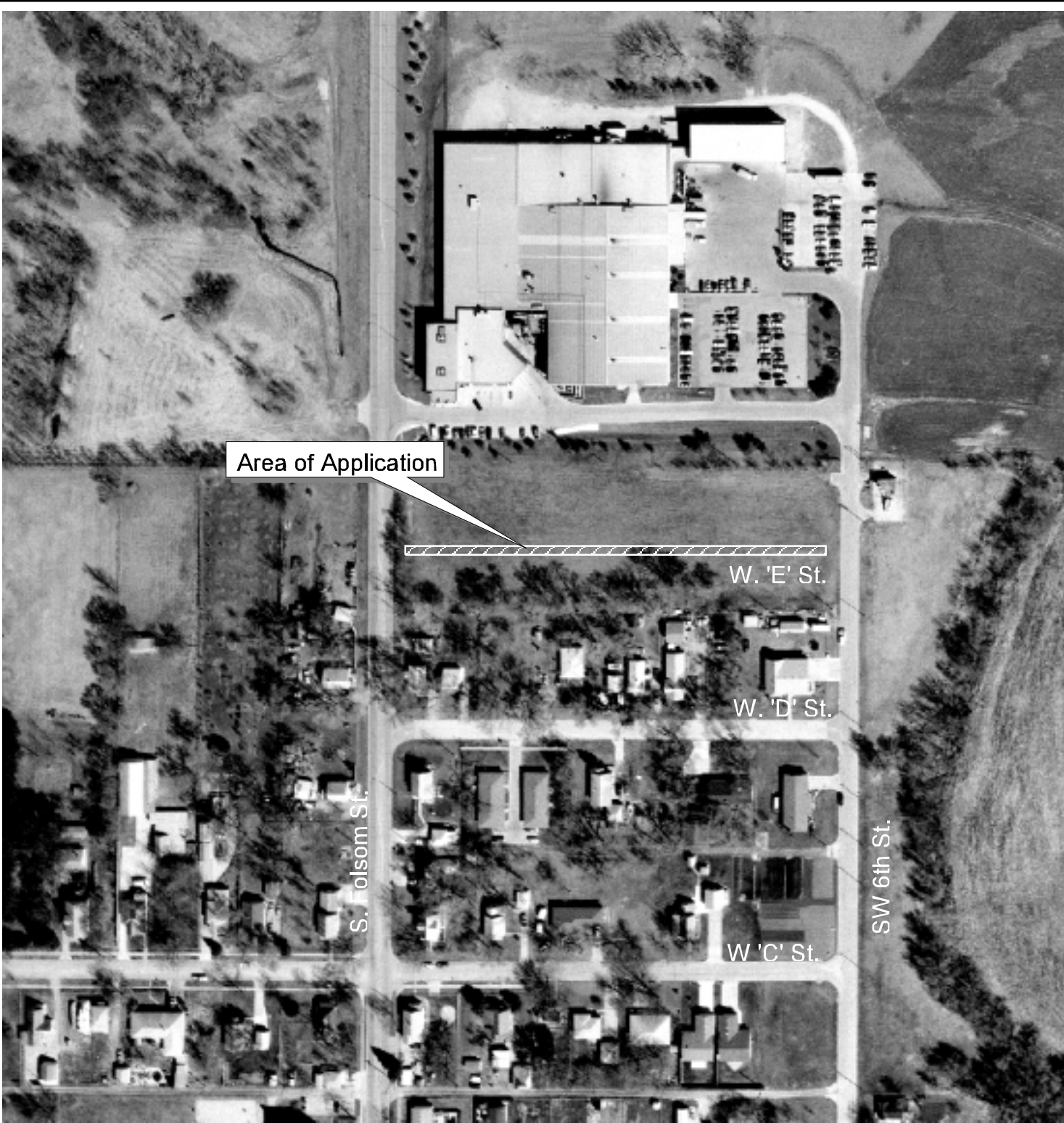
- 1.1 The provisions of Chapter 14.20 of the Lincoln Municipal Code are met.

Prepared by:

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Jason Reynolds  
Planner

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**Street & Alley Vacation #01022**  
**Folsom & 'E' St.**



Photograph Date: 1997

Lincoln City - Lancaster County Planning Dept.

I-1

Area of Application

W. 'E' St.

W. 'D' St.

W. 'C' St.

S. Folsom St.

SW 6th St.

R-2

## Street & Alley Vacation #01022 Folsom & 'E' St.

### Zoning:

R-1 to R-8	Residential District
AG	Agricultural District
AGR	Agricultural Residential District
R-C	Residential Conservation District
O-1	Office District
O-2	Suburban Office District
O-3	Office Park District
R-T	Residential Transition District
B-1	Local Business District
B-2	Planned Neighborhood Business District
B-3	Commercial District
B-4	Lincoln Center Business District
B-5	Planned Regional Business District
H-1	Interstate Commercial District
H-2	Highway Business District
H-3	Highway Commercial District
H-4	General Commercial District
I-1	Industrial District
I-2	Industrial Park District
I-3	Employment Center District
P	Public Use District

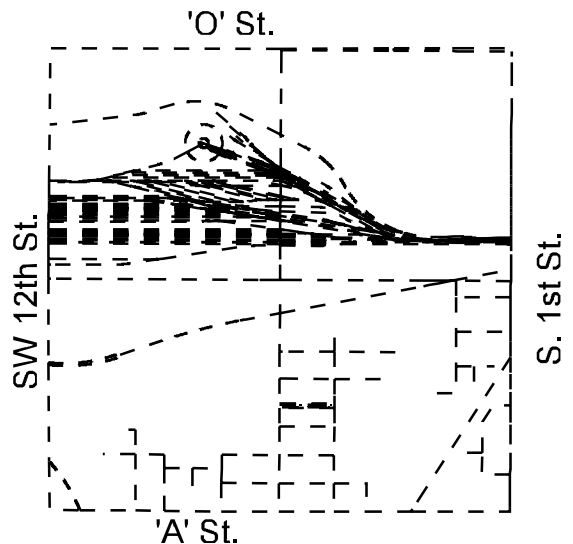
One Square Mile  
Sec. 27 T10N R6E



Zoning Jurisdiction Lines



City Limit Jurisdiction



## INTER-DEPARTMENT COMMUNICATION

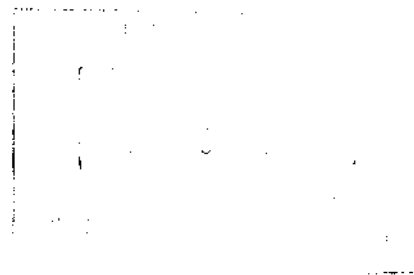
**TO** Jason Reynolds/Abby Davis  
**DEPARTMENT** Planning  
**ATTENTION**  
**COPIES TO**

**DATE** December 31, 2001  
**FROM** Rick Peo *Rick Peo*  
**DEPARTMENT** City Law  
**SUBJECT** Vacation of West E Street/  
Conservation Easement  
CPC01007

It is my understanding that the vacation of the north 12 feet of West E Street from the east line of Folsom Street to the west line of Southwest 6th Street is to be protected by a conservation easement over that vacated right-of-way in order to protect the floodplain. Since this property will be conveyed to the abutting property owner, it is not necessary that a separate conservation easement agreement be created and processed. Rather, the City of Lincoln in the vacation and the quitclaim deed to the abutting property owners would reserve the conservation easement over the vacated right-of-way for its own benefit. Please find enclosed a draft quitclaim deed for this vacated right-of-way which makes the following reservations: (1) reservation for utilities and (2) reservation of a conservation easement.

If you have any questions or need any additional information regarding this matter, please contact me.


ERP/ce  
Enclosure



# M e m o r a n d u m

01/11/02



**To:** Jason Reynolds, Planning  
**From:**  Dennis Bartels, Engineering Services  
**Subject:** Conservation Easement West 'E' Street  
**Date:** December 31, 2001  
**cc:** Roger Figard  
Nicole Fleck-Tooze

Engineering Services recommends approval of a conservation easement over the proposed vacation of the north 12' of West 'E' Street between Folsom and South 6th Streets.

SAV01022

## INTEROFFICE MEMORANDUM

TO: Mayor Wesely  
& City Council Members

FROM: Clinton W. Thomas

DEPARTMENT: City Council Office

DEPARTMENT: Real Estate Division

ATTENTION:

DATE: January 10, 2002

COPIES TO: Joan Ross  
Kathleen Sellman  
Dana Roper  
Byron Blum

SUBJECT: Vacation of the north 12 feet of West  
E Street from Folsom Street to  
SW 6<sup>th</sup> Street

A request has been made to vacate the north 12 feet of West E Street lying between Folsom Street and Southwest 6<sup>th</sup> Street. The area was viewed and appears as an area that has been graded in preparation for parking lot development in conjunction with the adjoining property. Public Works has asked that a permanent easement be retained for existing electrical facilities.

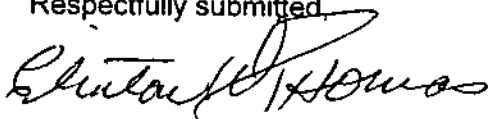
A strip of land 6.9 feet in width has been deeded to the City as additional street right-of-way on the south side of E Street to replace the 6 feet originally requested to be vacated; now expanded to 12 feet. Since this area was deeded in fee and the portion to be vacated will be encumbered by a permanent utility easement, it would seem reasonable to treat this as a land trade for the same amount of vacated street right-of-way. The abutting landowner would be expected to pay for the remaining portion of street right-of-way being vacated.

The property adjacent to West E Street is estimated to have a value of approximately \$1.00 per square foot. A 5.1' strip of the area being vacated is calculated to be 2,909 square feet. Given the narrowness of the area being vacated and the retention of utility easements over it, it is estimated the area has a value of approximately 35% of the value it will assume once it is assembled into the abutting property. The value estimated at \$0.35 per square foot calculates as follows:

$$2,909 \text{ sq. ft.} \times \$0.35 = \$1,018.15 \text{ called } \$1,000.00$$

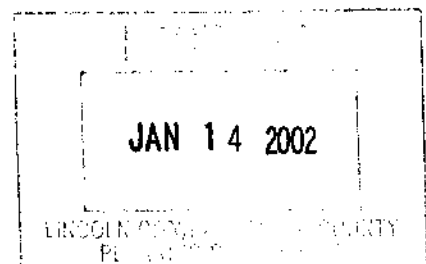
Therefore, it is recommended that if the area be vacated it be sold to the abutting landowner for \$1,000.00.

Respectfully submitted,



Clinton W. Thomas  
Certified General Appraiser #990023

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# Lincoln



# Nebraska's Capital City

December 19, 2001

Lincoln City/Lancaster County  
Planning Commission  
Lincoln, NE 68508

*RE: Vacating the north 12 feet of West "E" Street from the east line of Folsom Street to the west line of Southwest 6th Street*

Dear Ladies and Gentlemen:

The Department of Public Works and Utilities has received a petition from Lincoln Plating Company, owners of Lot 1 Lincoln Plating Addition, to vacate the above described public right-of-way. The purpose of this vacation request is to provide a setback for a proposed parking lot 6.9 feet of right-of-way has been deeded along the south side of West "E" Street to replace the ~~6~~ feet being vacated.

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The Lincoln Electric System has existing overhead and buried electrical facilities in this area and have requested that a permanent easement be established for the entire vacation corridor.

Subject to approval of petition by City Law Department the Department of Public Works and Utilities recommends approval of this vacation request with the above mentioned conditions. This vacation contains an area of 6,845.52 square feet, more or less.

Sincerely,

Byron Blum  
Engineering Services

fcg westevac blb.wpd

cc: Mayor Wesely  
Allan Abbott  
Kathleen Sellman  
Marc Wullschleger  
Roger Figard  
Nicole Fleck-Tooze  
Joan Ross  
Clint Thomas  
Dana Roper

